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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/574,157

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Cary Lee Bates

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IBM CORPORATION, INTELLECTUAL PROPERTY LAW
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EXAMINER

HUYNH, BA

ART UNIT

PAPER NUMBER

2179

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/574,157	Applicant(s) BATES ET AL.	
	Examiner Ba Huynh	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-9, 11, 21-25, 30 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-9, 11, 21-25, 30 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 5-9, 11, 21-25, 30, 31 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,182,133 (Horvitz).

- As for claims 5, 21: Horvitz teaches a computer implemented method and corresponding system for rendering web pages (8:36-38, fig 15) to be displayed on a networked client display device on the basis of prior user interaction with the web pages (4:4-19, 27:18-27, 42:34), comprising the steps/means for:
for each of a plurality of web pages having different network addresses:
receiving user request to view the web page (4:20-21, 33-34),
in response to user request, retrieving the web page according to a respective network address (fig 14, 15), determine if an entry associated with the webpage exists in a data structure residing on the networked client display device (4:4-19) (5:21-52), the entry includes a user interactive field (4:16-17, 5:24-37, 44:26-33), if there is a user interaction entry, determining if the entry field exists on the web page (35:14-17, 41:44-67, 42:37-58),

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- rendering the web page on the display (fig 15B). Horvitz teaches rendering the webpage or portion of the webpage based on user's interactions with an interactive field on a webpage. The rendering of the webpage can be based on user's last action such that the user next action can be performed (42:53-54). Horvitz teaches that a user profile is stored at the server. The profile specifies which pages the user has accessed and the path taken. Contents are downloaded to the users based on the user profile in response to user request (47:56-48:10). Thus it is implicitly included, or alternatively would have been obvious, that the downloaded contents comprises user interested interaction field determined based on the stored user profile. Horvitz's teaching suggests automatically scrolling the page to position the interactive field within the visible display area. In the same field of information retrieval, Hobbs teaches automatically scrolling the page to position the interactive field within the visible display area (Hobbs' 25:58-62, 26:57:60, 27:17-22). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Hobbs teaching to Horvitz for automatically scrolling the page to position the interactive field within the visible display area. Motivation of the combining is for saving the user effort to locate the interactive field. A scroll bar is displayed on the side of the web page allowing the user to scroll up and down the page (figs 15).
- As for claims 6: The user interaction field is removed from current location and moved to a top portion of the view area (Hobbs' fig 15).
 - As for claim 7: The user profile of navigation history includes a plurality of user interaction fields (4:16-17, 5:24-37, 44:26-33, fig 15B). Other interaction fields can

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be moved to viewable area on the display screen in the same manner. The webpage corresponding to the user interactive fields are arranged based on a ranking order (24:65-67, 27:58-60).

- As for claim 8: Each user interacted object is associated with a count, the count associated with the second interacted object greater than the first (5:33-55).
- As for claim 9: The combine reference fail to teach that if the count are equal for both entries, then a time value can be used. However implementation a time value for ranking if the count is equal for both entries would have been obvious to one of skill in the art of ranking rules.
- As for claim 11: Horvitz teaches a computer implemented method and corresponding system for rendering web pages (8:36-38, fig 15) to be displayed on a networked client display device on the basis of prior user interaction with the web pages (4:4-19, 27:18-27, 42:34), comprising the steps/means for:
for each of a plurality of web pages having different network addresses:
receiving user request to view the web page (4:20-21, 33-34),
in response to user request, retrieving the web page according to a respective network address (fig 14, 15), determine if an entry associated with the webpage exists in a data structure residing on the networked client display device (4:4-19) (5:21-52), the entry includes a user interactive field (4:16-17, 5:24-37, 44:26-33), if the there is a user interaction entry, determining if the entry field exists on the web page (35:14-17, 41:44-67, 42:37-58),

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rendering the web page on the display (fig 15B). Horvitz teaches rendering the webpage or portion of the webpage based on user's interactions with an interactive field on a webpage. The rendering of the webpage can be based on user's last action such that the user next action can be performed (42:53-54). Horvitz teaches that a user profile is stored at the server. The profile specifies which pages the user has accessed and the path taken. Contents are downloaded to the users based on the user profile in response to user request (47:56-48:10). Thus it is implicitly included, or alternatively would have been obvious, that the downloaded contents comprises user interested interaction field determined based on the stored user profile. Horvitz's teaching suggests automatically scrolling the page to position the interactive field within the visible display area. In the same field of information retrieval, Hobbs teaches automatically scrolling the page to position the interactive field within the visible display area (Hobbs' 25:58-62, 26:57:60, 27:17-22). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Hobbs teaching to Horvitz for automatically scrolling the page to position the interactive field within the visible display area. Motivation of the combining is for saving the user effort to locate the interactive field. A scroll bar is displayed on the side of the web page allowing the user to scroll up and down the page (figs 15). The user profile of navigation history includes a plurality of user interaction fields (4:16-17, 5:24-37, 44:26-33, fig 15B). Other interaction fields can be moved to viewable area on the display screen in the same manner. The webpage corresponding to the user interactive fields are arranged based on a ranking order (24:65-67, 27:58-60).

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- Each user interacted object is associated with a count, the count associated with the second interacted object greater than the first (5:33-55).
- As for claims 22, 23: Since a page can be larger than a default display screen, some of the page elements are not in the viewable area of the screen (8:36-38).
 - As for claim 23: All of one or more user interactive fields can be displayed in the viewable area (Horvitz's fig 15, Hobbs's fig 15).
 - As for claim 24: The user interaction entry can be a table entry, a link, a data entered interaction entry, or a scrolling entry (Horvitz's 27:50-54).
 - As for claim 25: Per Horvitz, the data structure includes the time spent displaying the electronic document element on the display during prior user interaction with the electronic document (29:65-67).
 - As for claims 30, 31: Scroll bars are provided allowing the user to scroll the page (Figure 15).

Response to Arguments

Applicant's arguments filed 2/12/09 have been fully considered but they are not persuasive.

Remarks:

Argument: Horvitz teaches prefetching pages before the user explicitly requests it, therefore Horvitz does not teach the determination in response to an explicit request for the page.

Response: Horvitz clearly teaches, in 4:20-25, that the determination is after the user enters an URL. A set of web pages are downloaded to the user based on the determination.

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Secondly, Horvitz teaches that a user profile is stored at the server. The profile specifies which pages the user has accessed and the path taken. Contents are downloaded to the users based on the user profile in response to user request (47:56-48:10). Thus it is implicitly included, or alternatively would have been obvious, that the downloaded contents comprises user interested interaction field determined based on the stored user profile.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ba Huynh
/Ba Huynh/
Primary Examiner, Art Unit 2179